

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

**DOUGLAS I. HORNSBY, Administrator
of the Estate of CYNTHIA GARY,**

Plaintiff,

V.

Case No. 2:22-cv-427

UNITED STATES of AMERICA,

Defendant/Third-Party Plaintiff,

V.

**METRO MACHINE CORP., d/b/a
GENERAL DYNAMICS NASSCO-NORFOLK, et al.**

Third-Party Defendants.

**DEFENDANT METRO MACHINE CORP.'S
MOTION TO DISMISS THIRD-PARTY COMPLAINT AND RULE 14(c) TENDER**

Defendant Metro Machine Corp., d/b/a General Dynamics NASSCO-Norfolk (“NASSCO-Norfolk”), by counsel, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, hereby moves this Court to dismiss the Third-Party Complaint and Rule 14(c) Tender. The grounds for this Motion are set forth in a Memorandum in Support concurrently filed with this Motion.

Respectfully submitted,

METRO MACHINE CORP.,
D/B/A GENERAL DYNAMICS NASSCO-
NORFOLK

By: /s/ Lynn K. Brugh, IV
Lynn K. Brugh, IV
Virginia State Bar No. 36778
Counsel for Defendant

WILLIAMS MULLEN
200 South 10th Street, Suite 1600
Richmond, Virginia 23219
Telephone: (804) 420-6461
Facsimile: (804) 420-6507
lbrugh@williamsmullen.com

John Arch Irvin
Virginia State Bar No. 97044
Counsel for Defendant
WILLIAMS MULLEN
200 South 10th Street, Suite 1600
Richmond, Virginia 23219
Telephone: (804) 420-6140
Facsimile: (804) 420-6507
jirvin@williamsmullen.com

CERTIFICATE OF SERVICE

I hereby certify that on the 30th day of January 2024, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing to all counsel of record.

/s/ Lynn K. Brugh, IV
Lynn K. Brugh, IV
Virginia State Bar No. 36778
Counsel for Defendant
WILLIAMS MULLEN
200 South 10th Street, Suite 1600
Richmond, Virginia 23219
Telephone: (804) 420-6461
Facsimile: (804) 420-6507
lbrugh@williamsmullen.com